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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**

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8 UNITED STATES OF AMERICA,)
9 Plaintiff,) 2:08-CR-319-RLH-PAL
10 vs.) **O R D E R**
11 ODIES MATTHEWS,)
12 Defendant.)
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14 Before the Court is Defendant's **Motion Withdrawing Defender and For an Order**
15 **Determining if U.S. Marshal Must Pick Up Defendant from N.D.O.C.** (#27, filed September 30,
16 2010). This case is closed. A judgment of conviction was entered July 23, 2009, more than a year
17 ago. There has been no appeal of the judgment or motion to set it aside, and the time to do so has
18 run.

19 This Court, in a letter to Mr. Matthews dated September 24, 2010, explained there
20 was no basis for modifying this Court's sentence and his place of incarceration is in the hands of
21 state and federal prison officials. Neither this Court, nor the U.S. Marshal, has the authority or
22 intention to interfere with the decisions of those officials.

23 He is no longer represented by the Federal Public Defender, so his request for
24 withdrawal of the Federal Defender is moot.

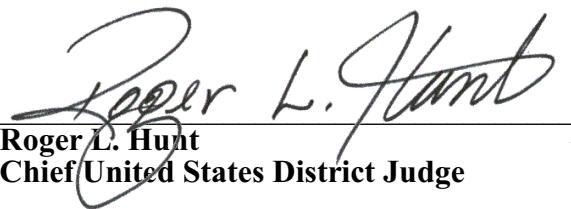
25 This Court did not order that his federal sentence run concurrently with the state
26 sentence. It has no reliable information about what the state court ordered, regarding its sentence

1 running concurrently, and is not the proper forum to enforce such an order. Accordingly, this Court
2 refuses to order the U.S. Marshal to pick up the Defendant from the state prison.

3 IT IS THEREFORE ORDERED that Defendant's **Motion Withdrawing Defender**
4 **and For an Order Determining if U.S. Marshal Must Pick Up Defendant from N.D.O.C. (#27)**
5 is DENIED in all respects.

6 IT IS FURTHER ORDERED that any further motions or letters to this Court on this
7 subject shall not receive any consideration.

8 Dated: November 3, 2010.

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11 Roger L. Hunt
12 Chief United States District Judge
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